

Baker & Hostetler LLP

45 Rockefeller Plaza

New York, New York 10111

Telephone: (212) 589-4200

Facsimile: (212) 589-4201

David J. Sheehan

Seanna R. Brown

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

CARDINAL MANAGEMENT, INC., AND
DAKOTA GLOBAL INVESTMENTS, LTD.,

Defendants.

Adv. Pro. No. 10-04287 (SMB)

**CERTIFICATE OF NO OBJECTION TO TRUSTEE'S MOTION FOR ENTRY OF AN
ORDER PURSUANT TO SECTION 105(a) OF THE BANKRUPTCY CODE AND
RULES 2002 AND 9019 OF THE FEDERAL RULES OF BANKRUPTCY
PROCEDURE APPROVING A SETTLEMENT AGREEMENT BY AND BETWEEN
THE TRUSTEE AND CARDINAL MANAGEMENT, INC. AND
DAKOTA GLOBAL INVESTMENTS, LTD.**

Irving H. Picard (the "Trustee"), as trustee for the liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the substantively consolidated Chapter 7 estate of Bernard L. Madoff, by and through his undersigned counsel, submits this certificate pursuant to Local Bankruptcy Rule 9075-2, and respectfully represents:

1. On September 30, 2019, the Trustee filed the Motion for Entry of Order Pursuant to Section 105(a) of the Bankruptcy Code and Rules 2002 and 9019 of the Federal Rules of Bankruptcy Procedure Approving a Settlement Agreement by and Between the Trustee and Cardinal Management, Inc. and Dakota Global Investments, Ltd. (the "Motion") (Adv. Pro. No. 10-04287 (SMB), ECF No. 129).

2. The deadline for filing objections to the Motion expired on November 13, 2019 at 5:00 p.m. A hearing on the Motion has been scheduled for November 20, 2019 at 10:00 a.m.

3. Pursuant to the Order Establishing Notice Procedures (*Sec. Inv'r Prot. Corp. v. Bernard L. Madoff Inv. Sec. LLC*, No. 08-1789 (SMB), ECF No. 4560) (the "Notice Order"), Notice of Motion was provided by U.S. Mail postage prepaid or email to: (i) defendants in the adversary proceeding; (ii) all parties included in the Master Service List as defined in the Notice Order; (iii) all parties that filed a notice of appearance in this case; (iv) the SEC; (v) the IRS; (vi) the Acting United States Attorney for the Southern District of New York; and (vii) SIPC.

4. Counsel has reviewed the Court's docket not less than forty-eight (48) hours after expiration of the time to file an objection, and to date, no objection, responsive pleading, or

request for a hearing with respect to the Motion appears thereon. Additionally, no party has indicated to the Trustee that it intends to oppose the relief requested in the Motion.

5. An electronic copy of the proposed order (the “Order”), that is substantially in the form of the proposed order that was annexed to the Motion will be submitted to the Court, along with this certificate.

6. Pursuant to Local Bankruptcy Rule 9075-2, the Trustee respectfully requests that the Order be entered without a hearing.

Dated: November 15, 2019
New York, New York

Respectfully submitted,

BAKER & HOSTETLER LLP

By: /s/ Seanna R. Brown

David J. Sheehan

Email: dsheehan@bakerlaw.com

Seanna R. Brown

Email: sbrown@bakerlaw.com

45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201

*Attorneys for Irving H. Picard,
Trustee for the Substantively Consolidated
SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Estate of
Bernard L. Madoff*